

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

ROGER D. BARRETT

PETITIONER

v.

CASE NO. 5:14CV00115 BSM

**RAY HOBBS, Director of the
Arkansas Department of Correction**

RESPONDENT

ORDER

The proposed findings and recommendation from United States Magistrate Judge H. David Young have been received. After a careful review of the findings and recommendation, the timely objections received thereto, and a *de novo* review of the record, it is concluded that the findings and recommendation should be, and hereby are, approved and adopted in their entirety in all respects.

The petition for writ of habeas corpus pursuant to 28 U.S.C. 2254 filed by petitioner Roger D. Barrett is dismissed without prejudice so that he may exhaust his state remedies. In § 2254 cases, a certificate of appealability may issue only if the applicant has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)–(2). As there is no issue on which petitioner has made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied.

IT IS SO ORDERED this 15th day of August 2014.


UNITED STATES DISTRICT JUDGE